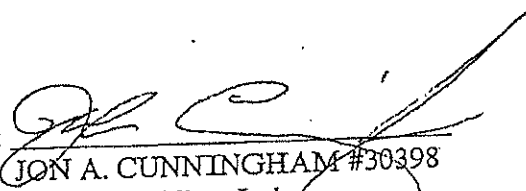


IN THE ELEVENTH JUDICIAL CIRCUIT OF MISSOURI
CIRCUIT JUDGE DIVISION

Pursuant to the "Eleventh Judicial Circuit Order of Judge Assignments and Individualized Docket Plan" dated the 14th day of October 2010, and on file in the Office of the Presiding Judge, this case is assigned to such division as set forth in said "Eleventh Judicial Circuit Order of Judge Assignments and Individualized Docket Plan".

So Ordered:


JON A. CUNNINGHAM #30398
Presiding Judge

FILED

OCT 14 2010

Circuit Clerk
ST. CHARLES COUNTY

EXHIBIT

A

IN THE CIRCUIT COURT
ST. CHARLES COUNTY
STATE OF MISSOURI
ASSOCIATE DIVISION

ARRIC PLOCH)	
)	
Plaintiff,)	
)	Cause No.
v.)	
)	Division
CLIENT SERVICES, INC.)	
)	
)	
Defendant.)	
)	
Serve at:)	
Daniel K. Barklage)	
211 North Third Street)	
St. Charles, Missouri 63301)	

PETITION

COMES NOW, Plaintiff, Arric Ploch, and for his Petition states as follows:

INTRODUCTION

1. This is an action for statutory damages brought by an individual consumer for violations of the Fair Debt Collections Practices Act, 15 USC 1692 *et. Seq.* ("FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

JURISDICTION

2. This Court has jurisdiction of the FDCPA claim under 15 USC 1692k (d).

PARTIES

3. Plaintiff is a natural person currently residing in St. Charles County, Missouri. Plaintiff is a "consumer" within the meaning of the FDCPA. The alleged debt Plaintiff owes arises out of consumer, family, and household transactions.

4. Upon information and belief, Defendant is a Missouri corporation with its principal place of business at 3451 Harry S. Truman Boulevard, St. Charles, Missouri 63301. The

principal business purpose of Defendant is the collection of debts, and Defendant regularly attempts to collect debts alleged to be due another.

5. Defendant is engaged in the collection of debts from consumers using the mail and telephone. Defendant is a "debt collector" as defined by the FDCPA. 15 USC 1692a (6).

FACTS

6. Plaintiff had previously filed suit (St. Charles County Case No. 1111-CV11523) against Defendant for violations of the FDCPA and TCPA in their attempts to collect a debt stemming from a Target Visa account ("Target debt").

7. Defendant dealt exclusively with Plaintiff's counsel on the previous suit to reach a settlement agreement. The previous suit was dismissed on February 15, 2012.

8. Defendant, knowing that Plaintiff was represented by counsel on the Target debt, telephoned Plaintiff on February 17th and 18th 2012 in an attempt to collect the Target debt.

9. Plaintiff called Defendant and informed them that he was still represented by counsel on this matter. During that call, Defendant verified for Plaintiff this was the same Target debt from the previous litigation.

10. Several days later, Defendant sent Plaintiff a collection letter in another attempt to collect the Target debt.

11. Plaintiff never consented to being contacted by the Defendant.

12. Defendant's collection attempts have caused Plaintiff to incur actual damages including but not limited to cellular phone charges, anxiety, sleeplessness, and worry.

COUNT I: VIOLATION OF THE FDCPA

13. Plaintiff re-alleges and incorporates by reference all of the above paragraphs.

14. In its attempts to collect the alleged debt from Plaintiff, Defendant has committed violations of the FDCPA, 15 USC 1692 *et. seq.*, including, but not limited to, the following:

- a. Communication with a consumer that the Defendant knows to be represented by counsel. 15 USC 1692 (c) (a) (2).

WHEREFORE, Plaintiff respectfully requests that judgment be entered against Defendant for:

- A. Declaratory judgment that Defendant's conduct violated the FDCPA;
- B. Actual damages;
- C. Release of the alleged debt;
- D. Statutory damages, costs and reasonable attorney's fees pursuant to 15 USC 1692(k); and
- E. For such other relief as the Court may deem just and proper.

EASON & VOYTAS, LLC

s/ James W. Eason

JAMES W. EASON, #57112
RICK A. VOYTAS, #52046
EASON & VOYTAS, LLC
1 North Taylor Ave.
St. Louis, Missouri 63108
Phone: (314) 932-1066
Fax: (314) 667-3161
jameseason@easonvoytas.com

IN THE CIRCUIT COURT
ST. CHARLES COUNTY
STATE OF MISSOURI

ARRIC PLOCH)	
)	
Plaintiff,)	
)	Cause No.
v.)	
)	Division
CLIENT SERVICES, INC.)	
)	
Defendant.)	

REQUEST FOR APPOINTMENT OF PROCESS SERVER

COMES NOW undersigned counsel, pursuant to Local Rules, and at his own risk requests the appointment of the Circuit Clerk of:

**Kurt Ponzar & Associates, Inc.
Kurt Ponzar
6209 Mid Rivers Mall Drive, Suite 145
St. Charles, Missouri 63304
(636) 946-1800**

Natural persons of lawful age to serve the summons and petition in this cause on the below named parties. This appointment as special process server does not include the authorization to carry a concealed weapon in the performance thereof.

SERVE AT:

Daniel K. Barklage
Registered Agent
211 North Third Street
St. Charles, Missouri 63301

EASON & VOYTAS, LLC

All Risks to Plaintiff
So Appointed:

Date: _____

By: _____
JUDY ZERR, CIRCUIT CLERK

/s/ James W. Eason
JAMES W. EASON, 57112
1 North Taylor Ave.
St. Louis, Missouri 63108
(314) 932-1066
(314) 667-3161 fax
Email: james.w.eason@gmail.com




IN THE 11TH JUDICIAL CIRCUIT COURT, ST. CHARLES COUNTY, MISSOURI

Judge or Division: MIKE GREENWELL	Case Number: 1211-AC01480
Plaintiff/Petitioner: ARRIC PLOCH	Plaintiff's/Petitioner's Attorney/Address: JAMES W EASON 1141 SOUTH SEVENTH STREET SAINT LOUIS, MO 63104
Defendant/Respondent: CLIENT SERVICES INC	Date, Time and Location of Court Appearance: 03-APR-2012, 09:00 AM TRANSFER JUDGE COURTROOM 300 N 2nd SAINT CHARLES, MO 63301
Nature of Suit: AC Other Tort	

(Date File Stamp)

Associate Division Summons

The State of Missouri to: **CLIENT SERVICES INC**
Alias:
3451 HARRY S TRUMAN BLVD
SAINT CHARLES, MO 63301

COURT SEAL OF

ST. CHARLES COUNTY

You are summoned to appear before this court on the date, time, and location above to answer the attached petition. If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. You may be permitted to file certain responsive pleadings, pursuant to Chapter 517 RSMo. Should you have any questions regarding responsive pleadings in this case, you should consult an attorney.

If you have a disability requiring special assistance for your court appearance, please contact the court at least 48 hours in advance of scheduled hearing.

March 1, 2012 Date /S/ JUDY ZERR Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Service must not be made less than ten days nor more than sixty days from the date the Defendant/Respondent is to appear in court.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
- ☐ other _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on _____ (date).

My commission expires: _____ Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____
Non Est \$ _____
Sheriff's Deputy Salary \$ _____
Supplemental Surcharge \$ 10.00
Mileage \$ _____ (_____ miles @ \$._____ per mile)
Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

IN THE CIRCUIT COURT
ST. CHARLES COUNTY
STATE OF MISSOURI

ARRIC PLOCH)	
)	
Plaintiff,)	
)	Cause No.
v.)	
)	Division
CLIENT SERVICES, INC.)	
)	
Defendant.)	

REQUEST FOR APPOINTMENT OF PROCESS SERVER

COMES NOW undersigned counsel, pursuant to Local Rules, and at his own risk requests the appointment of the Circuit Clerk of:

**Kurt Ponzar & Associates, Inc.
Kurt Ponzar
6209 Mid Rivers Mall Drive, Suite 145
St. Charles, Missouri 63304
(636) 946-1800**

Natural persons of lawful age to serve the summons and petition in this cause on the below named parties. This appointment as special process server does not include the authorization to carry a concealed weapon in the performance thereof.

SERVE AT:

Daniel K. Barklage
Registered Agent
211 North Third Street
St. Charles, Missouri 63301

EASON & VOYTAS, LLC

/s/ James W. Eason
JAMES W. EASON, 57112
1 North Taylor Ave.
St. Louis, Missouri 63108
(314) 932-1066
(314) 667-3161 fax
Email: james.w.eason@gmail.com

All Risks to Plaintiff
So Appointed:

Date: ALL RISKS TO PLAINTIFF
SO APPOINTED: March 01, 2012
/S/ JUDY ZERR

By: _____
JUDY ZERR, CIRCUIT CLERK